

School District

March 28, 2013

Attn: Superintendent

Re: State of Indiana et al v. Indiana State Teachers Association et al  
1:09-cv-01506-SEB-DML

Dear Superintendent,

In our ongoing effort to arm you with the most up-to-date information regarding the above action, we wanted to inform you of a significant step forward. We have just received the good news that Judge Sarah Evans Barker has denied the ISTA and NEA Motions for Summary Judgment. The court finds there are issues of fact that are best resolved at trial. ISTA and the NEA had asked the court to resolve the issues of securities fraud and the role of the NEA prior to trial suggesting the issues were clearly in their favor and no facts were in dispute. The court disagreed.

This is a positive outcome at this stage of the process, although trial remains and is now scheduled for October 28, 2013.

The court's orders are available on our website as before at  
<http://www.in.gov/sos/securities/3738.htm>

Our team headed by the law firm of Frost Brown Todd LLC and our internal staff will be continuing their ongoing efforts with the benefit of knowing a firm trial date is on the horizon. Those efforts will include reaching out to you to follow up on our last meeting in February.

If you have any questions, please do not hesitate to contact Carol Mihalik, our Associate General Counsel at [cmihalik@sos.in.gov](mailto:cmihalik@sos.in.gov).

Respectfully,

Connie Lawson